

CONSERVATION EASEMENT

Attachment # 1

Page 1 of 8

STATE OF FLORIDA:

COUNTY OF LEON:

THIS CONSERVATION EASEMENT is hereby made on this 22^d day of JULY, 2003, by JOHN AND KELLY PETTIT, whose mailing address is 2077 OR BUDOW ROAD, TALLAHASSEE, FLORIDA, hereinafter referred to as the "Grantor," to LEON COUNTY, FLORIDA, a political subdivision of the State of Florida, whose mailing address is Board of County Commissioners, 301 South Monroe Street, Tallahassee, Florida 32301, hereinafter referred to as the "Grantee."

WITNESSETH:

For and in consideration of the mutual promises and other good and valuable consideration as set forth herein, the receipt and sufficiency of which is hereby acknowledged, the Grantor does hereby grant to the Grantee, its successors and assigns, a perpetual Conservation Easement in accordance with Section 704.06, Florida Statutes, over and across the real property more particularly described on Exhibit "A", which is attached hereto and expressly incorporated herein, on the terms and conditions hereinafter set forth:

The following activities are prohibited within this easement, pursuant to Section 704.06, Florida Statutes:

1. Construction or placing of buildings, roads, signs, billboards or other advertising, utilities, or other structures above or on the ground.
2. Dumping or placing of soil or other substance or material as landfill, or dumping or placing of trash, waste, or unsightly or offensive materials.
3. Removal or destruction of trees, shrubs, or other vegetation.
4. Excavation, dredging, or removal of loam, peat, gravel, soil, rock, or other material substance in such matter as to affect the surface.
5. Surface use except for purposes that permit the land or water area to remain predominately in its natural condition.
6. Activities detrimental to drainage, flood control, water conservation, erosion control, soil conservation, or fish and wildlife conservation habitat preservation.
7. Acts or uses detrimental to such retention of land or water areas.
8. Acts or uses detrimental to the preservation of the structural integrity or physical appearance of sites or properties of historical, architectural, archeological, or cultural significance.

Notwithstanding the foregoing, the Grantor shall be permitted to perform the activities set forth in the plan attached hereto as Exhibit "B", which also addresses maintenance responsibilities.

It is understood that the granting of this easement entitles the Grantee to enter the above-described land in a reasonable manner and at reasonable times to assure compliance with the conditions of this easement.

Grantor hereby fully warrants the title to said real property and will defend the same against the lawful claims of all persons whomsoever claimed by, through or under it, that it has good rights and lawful authority to grant this easement and that the same is unencumbered. Where the context of this easement requires, allows or permits, the same shall include the successors or assigns of the parties.

The easement granted hereby shall run with the land and shall enure to the benefit of the Grantee and its successors and assigns.

IN WITNESS WHEREOF, Grantor has caused these covenants to be executed and its seal to be affixed hereto on the day and year first above written.

GRANTOR

JOHN PETTIT
(Husband's Name Typewritten)

[Signature]
(Signature)

WITNESSES:

Jonathan Gould
(Sign)
Jonathan Gould
(Print Name)

[Signature]
(Sign)
John Pettit
(Print Name)

GRANTOR

KELLY PETTIT
(Wife's name typewritten)

[Signature]
(Signature)

WITNESSES:

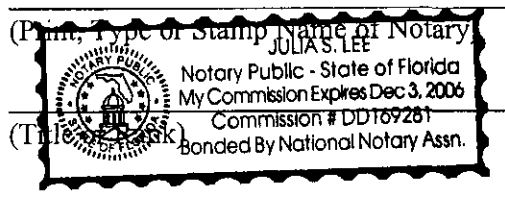
[Signature]
(Sign)
Tom Archer
(Print Name)

[Signature]
(Sign)
Kelly Pettit
(Print Name)

STATE OF FLORIDACOUNTY OF Leon

The foregoing instrument was acknowledged before me this 22nd day of July, 2003, by JOHN PETTIT, who is personally
(Husband's name)
known to me, or has produced _____ as identification and
(type of identification)
did not take an oath.


Julia S. Lee
(Signature of Notary)



Page 3 of 8

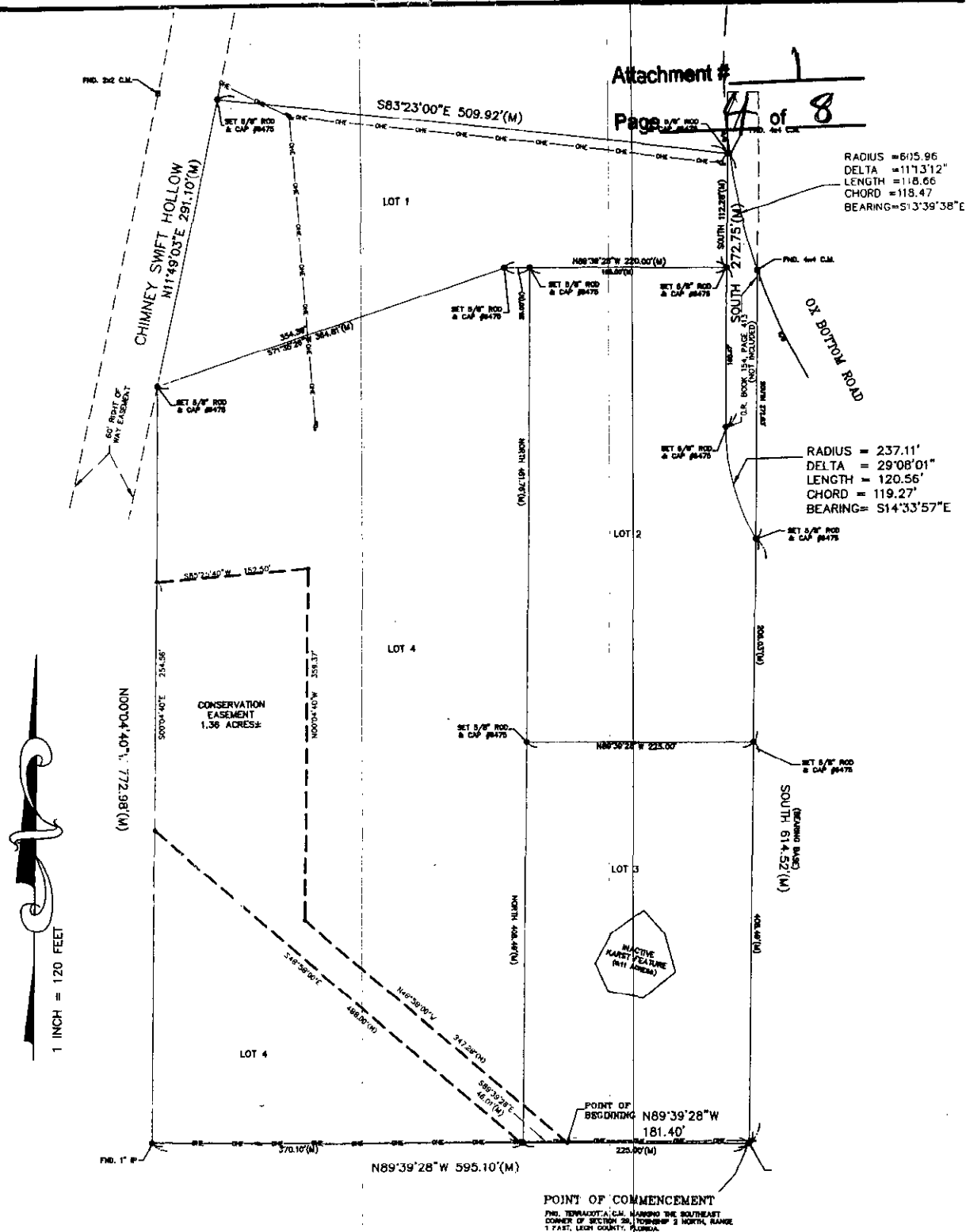
COUNTY OF Leon

Kelly Pettit, who is personally known to me, or has produced
(Wife's name)


(Signature of Notary)



23



NOTES:

- Not valid without the signature and the original raised seal of a Florida licensed surveyor and mapper.
- No improvements were located in this survey other than those shown.
- No underground encroachments were located in this survey.
- As per Flood Insurance Rate Map for Leon County, Florida, Community-Panel Number 1207300136 D; Date of Firm Index: Nov. 19, 1997, this property is located in Zone "X".
- See attached sheet for legal description.

I hereby certify that this is a true and correct representation of the property shown hereon and that this survey substantially meets the minimum technical standards for land surveying (Chapter 61G17, Florida Administrative Code.)

The undersigned surveyor has not been provided a current title opinion or abstract of matters affecting title or boundary to the subject property. It is possible there are deeds of records, unrecorded deeds, easements or other instruments which could affect the boundaries.

Donnie R. Sparkman
Surveyor & Mapper
Florida Certificate No. 5147
(LB 6475)

EXHIBIT "A"
Sheet 1 of 2

SKETCH OF CONSERVATION EASEMENTS FOR
JOHN PETTIT

PREPARED BY
EDWIN G. BROWN AND ASSOCIATES, INC.

113 CRAWFORDVILLE HWY. P.O. BOX 625 CRAWFORDVILLE, FL 32326 (850) 721-1916

DATE	REVISION	DRAWN BY: BKL	CHECKED BY: DRS
		SCALE: 1"=120'	
		DATE: APR 16, 2003	
		JOB NUMBER: PSC	
		93-274A	22521CE

**Edwin G. Brown
& Associates, Inc.**

SURVEYORS • MAPPERS • ENGINEERS

Attachment # 1

Page 5 of 8

EXHIBIT "A"
SHEET 2 OF 2

July 10, 2003

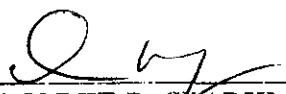
JOHN PETTIT

CONSERVATION EASEMENT (1.36 ACRES)

I hereby certify that this is a true and correct representation of the following described property and that this description substantially meets the minimum technical standard for land surveying (Chapter 61G17, Florida Administrative Code).

Commence at an old terra cotta monument marking the Southeast corner of Section 29, Township 2 North, Range 1 East, Leon County, Florida, and thence run North 89 degrees 39 minutes 28 seconds West 181.40 feet to the POINT OF BEGINNING. From said POINT OF BEGINNING thence run North 48 degrees 58 minutes 00 seconds West 347.28 feet, thence run North 00 degrees 04 minutes 40 seconds West 359.37 feet, thence run South 85 degrees 25 minutes 40 seconds West 152.50 feet, thence run South 00 degrees 04 minutes 40 seconds East 254.56 feet, thence run South 48 degrees 58 minutes 00 seconds East 488.00 feet, thence run South 89 degrees 39 minutes 28 seconds East 46.01 feet to the POINT OF BEGINNING containing 1.36 acres, more or less.

The undersigned surveyor has not been provided a current title opinion or abstract of matters affecting title or boundary to the subject property. It is possible there are deeds of records, unrecorded deeds, easements or other instruments which could affect the boundaries.


DONNIE R. SPARKMAN
Surveyor & Mapper
Florida Certificate No. 5147
(LB 6475)

93-274PSC:22521CE

LEGALS\22521.CEN

CONSERVATION EASEMENT MANAGEMENT & MAINTENANCE PLAN

Notice: This plan does not necessarily provide exemption from any other applicable local, state, or federal regulations.

A. The Following Activities Are Allowed Within the Conservation Easement Areas:

1. Eradication of invasive and nuisance plant species through the application of herbicides or by physical removal of such plants. Herbicides must be applied in accordance with the manufacturer's labeling. As used herein, "invasive" species are those plants listed by the Florida Exotic Pest Plant Council's (EPPC) List of Invasive Species. "Nuisance" species are native plants not listed by the EPPC but are considered undesirable due to their competitive effects, such as grapevine, cattail, dog fennel, catbriar, etc. The Leon County Department of Growth and Environmental Management or its successor must be contacted prior to the eradication of nuisance plants to ensure the County agrees with designating the particular plant species as being a nuisance species.
2. Planting of native species that are adapted to local site conditions. Any proposed planting of additional vegetation should first be submitted to the Leon County Department of Growth and Environmental Management or its successor for review and approval.
3. Removal of dead, diseased, or dying vegetation other than standing dead or dying trees unless such trees pose a safety threat. Such removal of vegetation must be conducted in a manner that minimizes disturbance to the soil surface and minimizes impacts to nearby plants other than invasive or nuisance species.
4. Any other activities specifically authorized by an Environmental Management Permit issued by the Leon County Department of Growth and Environmental Management or its successor.

B. The Following Is Applicable to Lot 4 (Special Activities Allowed in Conservation Easement Area):

1. The owner of Lot 4 can establish a single vehicular access crossing through the Conservation Easement area. The location of this crossing is restricted to that area indicated as "Access Crossing Area" on Figure 1 which is attached hereto and made part of this Conservation Easement agreement by reference. The width of said vehicular access crossing shall not exceed 25 feet as measured perpendicular to the centerline of the shallow drainage swale/ditch that runs through the Conservation Easement area (e.g., width is measured perpendicular to the limits of the conservation easement). Removal of woody vegetation necessary to establish and maintain the access crossing is allowed within said crossing, however the method of removal is limited to cutting these plants at ground level unless otherwise authorized by Leon County. All felled vegetation and other debris generated during the course of establishing the vehicular access crossing must be removed from the Conservation Easement area. Mowing or trimming of vegetation within the crossing is allowed. Rip-rap or similar material (ex., rocks, stones) can be placed on the soil surface within the crossing to provide a stabilized base, however such materials must be installed in a manner that maintains the existing cross-sectional area of the drainage ditch and does not interfere with or divert the normal flow of surface water within the ditch and the remainder of the Conservation Easement area. The owner of Lot 4 can also construct a raised roadbed through the access crossing, however construction of such a roadbed will require: (A) Installation of appropriately sized culverts beneath the roadbed, and; (B) Prior to construction activities, the an Environmental Management Permit must first be obtained from Leon County that authorizes the proposed activities.

E. General Maintenance of Conservation Easement Area:

The Conservation Easement area must be maintained in perpetuity such that the average percent cover accounted for by invasive plant species does not exceed 5 percent and the average percent cover accounted for by nuisance plant species does not exceed 10 percent. Immediately following a maintenance event, the average percent cover by invasive and nuisance plant species should be as close to 0 percent as possible.

Maintenance of the conservation easement area shall be the responsibility of the individual lot owner upon whose property a given conservation easement area or portion thereof is located. An individual lot owner affected by this maintenance requirement will only be responsible for the maintenance of that portion of each conservation easement area located on the lot owner's property. The property owner (lot owner) shall be deemed to be the person or persons shown as the property owner on the tax roll of the Leon County Property Appraiser.

FIGURE 1 (Attachment to 'Exhibit "B"')

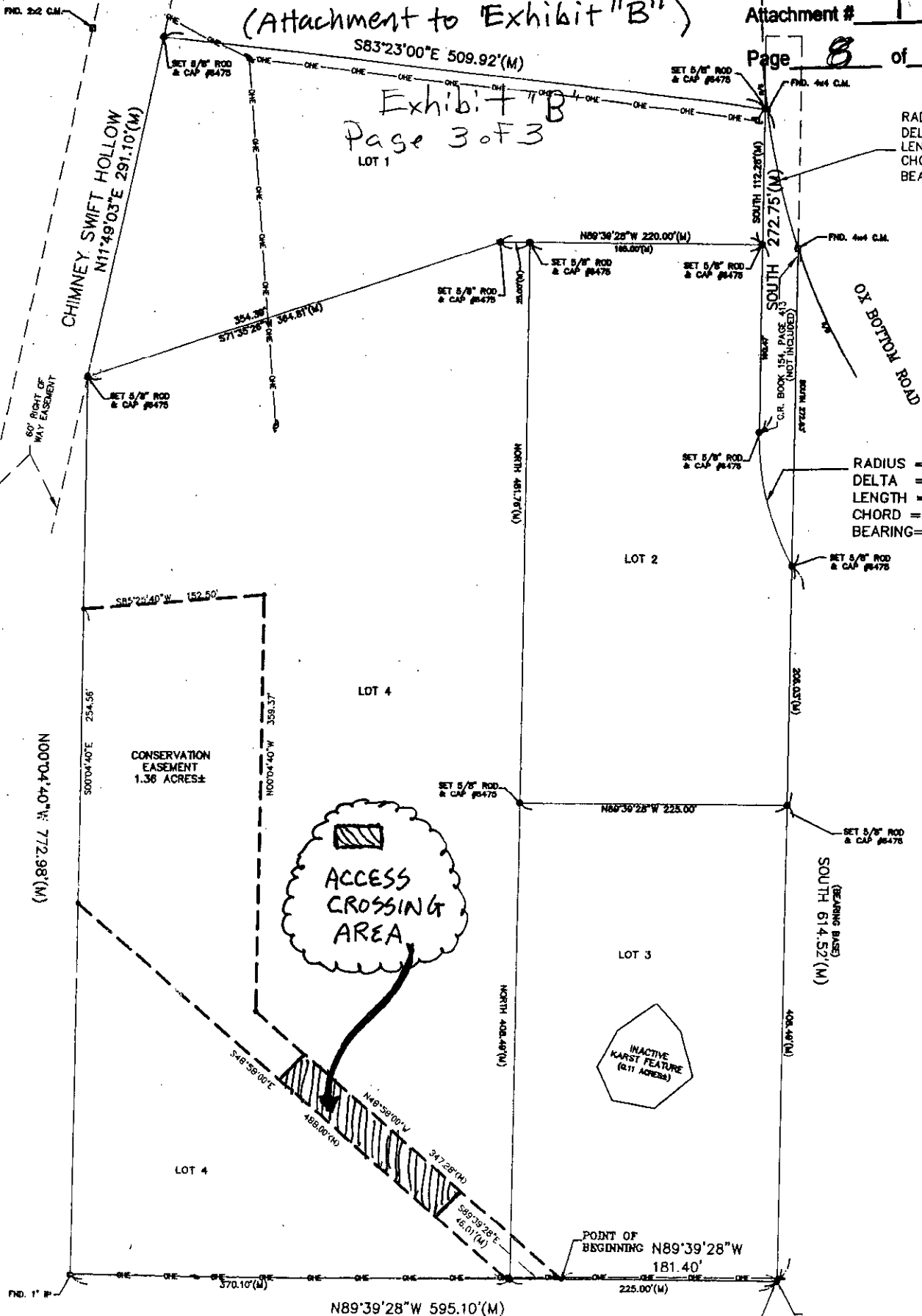
Attachment # 1

Page 8 of 8

Exhibit "B"
Page 3 of 3
LOT 1

RADIUS = 605.96
DELTA = 111°3'12"
LENGTH = 118.66
CHORD = 118.47
BEARING = S1°3'39"38"E

RADIUS = 237.11'
DELTA = 29°08'01"
LENGTH = 120.56'
CHORD = 119.27'
BEARING = S14°33'57"E



POINT OF COMMENCEMENT
PND, TERRACOTTA C.M. MARKING THE SOUTHEAST
CORNER OF SECTION 28, TOWNSHIP 2 NORTH, RANGE
1 EAST, LEON COUNTY, FLORIDA.

LEGEND

AR - ANGLE IRON ROD